

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

HILL HOLLIDAY CONNORS
COSMOPULOS, INC., d/b/a ERWIN-
PENLAND,

Plaintiff,

v.

JEFFREY GREENFIELD and
1st APPROACH, LLC,

Defendants, and Third-Party
Plaintiffs,

v.

CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS, and JOSEPH A. ERWIN,

Third-Party Defendants.

CIVIL ACTION NO. 6:08-3980-GRA

Hon. G. Ross Anderson Jr.

PLAINTIFF ERWIN-PENLAND AND THIRD-PARTY DEFENDANT
JOSEPH A. ERWIN'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, Plaintiff Hill Holliday Connors Cosmopulos, Inc. d/b/a Erwin-Penland ("Erwin-Penland") and Joseph A. Erwin ("Mr. Erwin") (collectively, the "Moving Parties") hereby move for summary judgment in their favor on all counts of Defendants and Counterclaim-Plaintiffs 1st Approach, LLC and Jeffrey Greenfield's (collectively, "Greenfield" or "Defendants") First Amended Counterclaim and Third-Party Complaint ("Third-Party Complaint") and for summary judgment on Erwin-Penland's declaratory judgment claim, finding that Defendants have no rights in the How Sweet the Sound concert events.


Based upon the clear admissions of Greenfield, the undisputed documentary evidence, and black letter South Carolina law, summary judgment in Erwin-Penland's favor on all of

Defendants' counterclaims is warranted. Further, Erwin-Penland is entitled to summary judgment on its declaratory judgment claim because it is undisputed that Greenfield is entitled to no rights, credit, or damages based upon Erwin-Penland's work for its longstanding client, Verizon Wireless, on the How Sweet the Sound project. In support of their Motion, the Moving Parties rely on the accompanying memorandum of law and exhibits.

Respectfully submitted,

HILL HOLLIDAY CONNORS
COSMOPULOS, INC. d/b/a ERWIN-
PENLAND, and JOSEPH A. ERWIN

By its attorneys,



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Greenville, South Carolina
March 1, 2010

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2010, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

A handwritten signature in cursive script, reading "Bernie W. Ellis".

Bernie W. Ellis